

Senate File 434 - Introduced

SENATE FILE _____
BY COMMITTEE ON LOCAL GOVERNMENT
(SUCCESSOR TO SSB 1293)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to nuisance properties by requiring the indexing
2 of certain municipal citations and petitions affecting real
3 property.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 1849SV 83
6 md/rj/14

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1 1 Section 1. Section 364.22, Code 2009, is amended by adding
1 2 the following new subsection:
1 3 NEW SUBSECTION. 4A. a. Upon receiving a citation under
1 4 subsection 4 that affects real property, the clerk of the
1 5 district court shall index the citation pursuant to section
1 6 617.10.

1 7 b. At the request of the city, the clerk of the district
1 8 court shall forward a copy of the citation to the county
1 9 treasurer. The county treasurer shall, upon receiving the
1 10 citation, include a notation of the pendency of the action in
1 11 any future tax sale proceeding involving the property.

1 12 Sec. 2. Section 617.10, subsection 1, Code 2009, is
1 13 amended to read as follows:

1 14 1. When a petition or municipal infraction citation
1 15 affecting real estate is filed, the clerk of the district
1 16 court where the petition or municipal infraction citation is
1 17 filed shall index the petition or municipal infraction
1 18 citation in an index book under the tract number which
1 19 describes the property, entering in each instance the case
1 20 number as a guide to the record of court proceedings which
1 21 affect the real estate. If the petition or municipal
1 22 infraction citation is amended to include other parties or
1 23 other lands, the amended petition or municipal infraction
1 24 citation shall be similarly indexed. When a final result is
1 25 determined in the case, the result shall be indicated in the
1 26 index book wherever indexed.

1 27 Sec. 3. NEW SECTION. 657.2A FILING NOTICE OF PETITION.

1 28 1. When a petition affecting real property is filed by a
1 29 governmental entity under this chapter, the clerk of the
1 30 district court shall index the petition pursuant to section
1 31 617.10.

1 32 2. At the request of the city, the clerk of the district
1 33 court shall forward a copy of the petition to the county
1 34 treasurer. The county treasurer shall, upon receiving the
1 35 petition, include a notation of the pendency of the action in
2 1 any future tax sale proceeding involving the property.

2 2 Sec. 4. NEW SECTION. 657A.12 FILING NOTICE OF PETITION.

2 3 1. Upon receiving a petition under this chapter, the clerk
2 4 of the district court shall index the petition pursuant to
2 5 section 617.10.

2 6 2. At the request of the city, the clerk of the district
2 7 court shall also forward a copy of the petition to the county
2 8 treasurer. The county treasurer shall, upon receiving the
2 9 petition, include a notation of the pendency of the action in
2 10 any future tax sale proceeding involving the property.

EXPLANATION

2 11 This bill relates to judicial actions affecting nuisance
2 12 properties. The bill requires that a municipal citation
2 13 issued under Code section 364.22 relating to a nuisance on
2 14 real property, a petition relating to a nuisance on real

2 16 property under Code chapter 657, or a petition relating to a
2 17 nuisance or for title to property under Code chapter 657A be
2 18 indexed by the clerk of the district court pursuant to Code
2 19 section 617.10.
2 20 The bill provides that, upon request of the city, the clerk
2 21 of the district court is required to forward a copy of the
2 22 citation or petition, as applicable, to the county treasurer.
2 23 The bill requires the county treasurer, upon receiving a
2 24 citation or petition, to include a notation of the pendency of
2 25 the action against the property in any future tax sale
2 26 proceeding involving the property.
2 27 LSB 1849SV 83
2 28 md/rj/14